

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1, 4, 6, 7 and 17-22 remain in the application and under consideration. Claims 5 and 8-17 have been withdrawn in view of an election made earlier in the prosecution. Claims 2 and 3 have been canceled. Independent claim 1 has been amended to define the invention more clearly and to incorporate limitations that had been in canceled claims 2 and 3. Claims 4, 6 and 7 have been amended to ensure a preamble consistent with amended claim 1 and to achieve appropriate dependency. New dependent claims 17-19 have been added and depend directly or indirectly from claim 1. New independent claim 20 and its dependent claims 21 and 22 have been added.

Claims 1-4, 6 and 7 were rejected under 35 USC 102(b) or alternatively 35 USC 103(a) in view of Masaki et al. (JP 11-221276). The Examiner identified the elements of Masaki et al. that were considered to correspond to the elements recited in the original claims that were subject to this rejection.

The Masaki et al. reference relates to an apparatus that can be employed with an IV drip bag. More particularly, an IV drip bag includes an outlet end and a suspending end opposite the outlet end. The suspending end of the IV drip bag is suspended from a hanger in proximity to a patient and typically remains connected to the patient for a considerable period of time. Thus, the outlet end of the IV drip bag hangs gravitationally below the suspending end so that IV fluid will flow gravitationally from the IV drip bag. The Masaki et al. device is suspended from the hanger that typically would engage the IV drip bag, and the IV drip bag then is hung on a portion of the Masaki et al. apparatus. The Masaki et al. apparatus includes a transfusion container weight detecting device that detects the weight of the IV drip bag at the start of a transfusion. The

transfusion container weight detecting device of Masaki et al. enables the healthcare worker to detect the weight of the transfusion container from time-to-time during the transfusion. The Masaki et al. apparatus further includes a transfusion finish judging means that generates a transfusion finish signal to indicate the finish of the transfusion.

The Masaki et al. apparatus must be present and in proximity to the patient throughout the entire transfusion because the IV drip bag must be suspended gravitationally from the Masaki et al. apparatus for the fluid to flow gravitationally from the IV drip bag. However, the complex Masaki et al. apparatus and the particular IV drip bag normally would not be stored or carried together. Rather, the healthcare facility would be likely to have a small inventory of the Masaki et al. transfusion container weight detecting devices and a separate inventory of IV drip bags. The Masaki et al. apparatus and IV drip bag would be drawn from their separate inventories for use.

In contrast to Masaki et al., the invention defined by amended claim 1 is directed to a medical liquid feeding unit that includes an expandable container, an inlet port for supplying a medical liquid to the expandable container and a feed duct for feeding to a patient the medical liquid discharge from one end of the expandable container by a contractive force of the expandable container. Thus, the claimed invention differs from Masaki et al. in that the claimed invention does not rely entirely upon a gravitational feeding of the liquid, and hence does not require the container to be suspended constantly in a specific orientation from a position gravitationally above a patient. Accordingly, the invention does not require the large hanger structure associated with any IV drip apparatus. The complex Masaki et al. transfusion container weight detecting device 50 suspended from the IV hanger would be an impractical accessory that would impede the use of the claimed medical feeding unit.

Nothing in Masaki et al. suggests the hung member recited in amended claim 1. Certainly, nothing in Masaki et al. suggests a hook-shaped member as recited in new claims 17-20. The medical liquid meter of the subject invention includes a weight-measuring device for measuring the weight of the medical liquid feeding device. The medical liquid meter of amended claim 1 further includes a suspender provided on the weight measuring device for disengageably engaging the hung member of the medical liquid feeding device and suspending the medical liquid feeding device therefrom as needed so that the weight of the medical liquid feeding device can be measured periodically under the condition that the medical feeding device is suspended disengageably by the suspender.

The structure defined by amended claim 1 inherently is more portable and less obtrusive for the patient and for healthcare workers near the patient. This aspect of the invention is described in paragraph 0033 of the original application. More particularly, the specification emphasizes that "the suspending device 2 is adapted to disengageably suspend the hung member 3 provided in the medical liquid feeding device 30. This can prevent the weight-measuring mechanism 1 from hindering the handling of the medical liquid feeding device 30 when the suspending device 2 is disengaged from the medical liquid feeding device 30. On the other hand, when it is necessary to quantify a remaining amount of the medical liquid stored in the expandable container 31, the suspending device 2 allows the medical liquid feeding device to be quickly suspended relative to the weight-measuring mechanism 1." The preceding paragraph of the specification explains that "the weight of the medical liquid feeding device can be measured in the minimum level of simple structure without the need for a large-scale mechanism to suppress a production cost." The above-quoted portions of the specification when considered in view of FIGS. 1

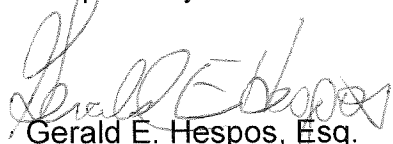
and 3 emphasize the small unobtrusive portable nature of the invention that can be used periodically on an as-needed basis. This distinguishes significantly from Masaki et al., which requires the large complex apparatus to be present continuously so that the IV liquid can drip gravitationally towards the patient. In contrast to Masaki et al. the medical liquid meter can be disengaged from the suspender while the liquid is being discharged from one end of the expandable container by a contractive force of the expandable container. Periodically, the healthcare worker simply can engage the suspender of the medical liquid meter with the hung member. The healthcare worker simply lifts the medical liquid meter to the orientation shown in FIG. 3 to determine the weight of the remaining liquid in the medical liquid feeding device. The healthcare worker readily can disengage the suspender from the hung member if the healthcare worker determines that the medical liquid feeding has been completed or if the healthcare worker determines that additional medical liquid feeding is required. Thus, the claimed invention requires the medical liquid meter to be engaged with the medical liquid feeding device only for measuring the weight of the medical liquid feeding device. The cord-shaped connection member enables the medical liquid meter to be maintained in close proximity to the medical liquid feeding device for use on an as needed basis. It is submitted that the Masaki et al. reference does not teach or suggest these aspects of the invention as set forth in amended independent claim 1 and its dependent claims.

New independent claim 20 has been added and includes all of the limitations of amended claim 1 plus additional limitations that help to define the invention more clearly. In this regard, new independent claim 20 defines the shape and location of the hung member relative to the feed duct of the medical liquid feeding device. The Masaki et al. arrangement would not function with a hung member disposed and configured in

accordance with new claim 20. New claim 20 further defines the configuration of the medical liquid meter with greater particularity. Structural features of the medical liquid meter defined in new claim 20 are inconsistent with Masaki et al. and enable the efficient usage of the medical liquid feeding unit described in portions of the specification quoted above. It is submitted that the invention defined by new claim 20 is not taught or suggested by Masaki et al. New dependent claims 21 and 22 depend from claim 20 and include all of the limitations of claim 20 plus additional limitations. Accordingly, the invention defined by new claims 21 and 22 is patentable over Masaki et al. for at least the reasons set forth above.

In view of the preceding amendments and remarks, it is submitted that all of the claims remaining in the application are directed to patentable subject matter and allowance is solicited. The Examiner is urged to contact applicants attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



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Date: October 31, 2008